

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Daytime Phone: _____ Alternate Phone: _____
Representing: [] Self [] Attorney [] Other
State Bar No. (if applicable): _____

Maricopa County Justice Courts, State of Arizona

(2)

Court Name and address

(5) Petitioner/ Plaintiff [] Judgment Creditor [] Judgment Debtor Name: _____ Address: _____ City, State, Zip Code: _____ Phone(s): _____	(8) Case No.: _____ (7) Garnishee Name: _____ Address: _____ City, State, Zip Code: _____ Phone(s): _____ Attorney: _____
(6) Respondent/ Defendant [] Judgment Creditor [] Judgment Debtor Name: _____ Address: _____ City, State, Zip Code: _____ Phone(s): _____	

PETITION FOR ORDER TO SHOW CAUSE REGARDING GARNISHEE'S DEFAULT (EARNINGS)

I am the judgment debtor or authorized agent of the judgment creditor in this action. I WANT THE Court to order the garnishee to appear and show cause why judgment should not be entered against the garnishee in the full amount of judgment against the judgment debtor and why the garnishee should not pay costs of this Petition and attorney's fees.

This Petition is based on the following facts:

1. The Court issued a Writ of Garnishment to garnishee on **(9)** _____
2. Garnishee was served on **(10)** _____ and Garnishee's Answer was due on **(11)** _____
3. Garnishee's Answer has not been filed with the Court or received by the judgment creditor.
4. Judgment debtor owes judgment creditor **(12)** \$ _____.

(13) _____
Date

Judgment Creditor or Authorized Agent

**INSTRUCTIONS FORM 17 – PETITION FOR ORDER TO SHOW CAUSE
REGARDING GARNISHEE'S DEFAULT (EARNINGS)**

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 17 IF:

- You are the judgment creditor or you represent a judgment creditor.
- You are seeking to collect a money judgment from a third party who owes or will owe earnings to the judgment debtor within the next 60 days.

TO COMPLETE FORM 17 YOU WILL NEED:

- Information from the judgment or order that awarded you the money you want to collection in this action.
- Information from the affidavit of service by the sheriff, constable or private process server you paid to serve the Writ of Garnishment and Summons on the garnishee.

HOW TO COMPLETE FORM 17:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Petition for Order to Show Cause Regarding Garnishee's Default (Earnings).

- (1) Type or print the name, mailing address and telephone numbers of the person filing this form. If you are representing yourself in this matter, check the box before "Self." If you are representing a judgment creditor but you are not an attorney and you are permitted by law to do so, check the box before "Other."

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

- (2) Type or print the name and the address of the Justice Court precinct in which you are filing this Request for an Order to Show Cause hearing.
- (5) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.
- (6) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.
- (7) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s) and attorney (if known).
- (8) Type or print the case number as it appears on the Writ.
- (9) Type or print the date on which the Writ of Garnishment was signed by the Court
- (10) Type or print the date garnishee was served with the Writ.
- (11) Type or print the date the Garnishee's Answer was due to be filed in Court (10 days after garnishee was served).
- (12) Type or print the amount of money you are owed by the judgment debtor.
- (13) Date and sign where indicated.

WHEN YOU HAVE COMPLETED THE PETITION FOR ORDER TO SHOW CAUSE REGARDING GARNISHEE'S DEFAULT EARNINGS:

- ☒ Follow the steps on the Process Checklist.